

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
1:09CR00017-GCM-WCM

UNITED STATES OF AMERICA           )  
                                                  )  
V.                                            )  
                                                  )  
ALBERT CHARLES BURGESS           )  
\_\_\_\_\_  
                                                  )

ORDER

This matter is before the Court upon its own motion. Defendant Burgess filed a Motion for Immediate Evidentiary Hearing with regard to a Motion for Compassionate Release. (Doc. Nos. 418 and 419). While the Court denied this Defendant's previous Motion for Compassionate Release on June 28, 2021 (Doc. No. 403), it appears that Defendant's circumstances have changed. Accordingly, the government is hereby directed to respond to this Motion within fourteen (14) days. The government is directed to specifically address the apparent discrepancy between the reasoning in the BOP's decision to deny his application for early release and Mr. Burgess's medical records documenting his falls and his difficulty performing most ADLs.

IT IS SO ORDERED.

Signed: June 28, 2023



Graham C. Mullen  
United States District Judge

